

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Gordon Miles,

Plaintiff,

v.

Case No. 19-cv-1567 (JNE/KMM)
ORDER

Lloyd Hartlieb, et al.,

Defendants.

In a Report and Recommendation (“R&R”) dated April 6, 2020, the Honorable Katherine M. Menendez, United States Magistrate Judge, recommended that the Court grant the MSOP Defendants’ Motion to Dismiss, grant the Moose Lake Defendants’ Motion for Judgment on the Pleadings, and dismiss Plaintiff’s Amended Complaint.¹ *See* ECF No. 70. No objections were filed to that Report and Recommendation in the time period permitted. Based on a de novo review of the record, the Court accepts the conclusions of the R&R. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3); D. Minn. LR 72.2. Therefore, IT IS ORDERED that:

1. The MSOP Defendants’ Motion to Dismiss, ECF No. 29, is GRANTED.
2. The Moose Lake Defendants’ Motion for Judgment on the Pleadings, ECF No. 50, is GRANTED.

¹ Defendants Johnston, Moser, Puffer, Giannini, Crider, Miles, Taylor, Johnson, Whipple, Berg, and John Doe OSI Officer are collectively referred to as the “MSOP Defendants.” Defendants John Doe Police Officer and Bogenholm are collectively referred to as the “Moose Lake Defendants.”

3. Plaintiff's Amended Complaint is DISMISSED in accordance with the R&R.

a. All claims dismissed for lack of subject matter jurisdiction should be dismissed without prejudice.

b. All remaining claims should be dismissed with prejudice.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Date: May 18, 2020

s/Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge